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SENATE

{ REPORT  
107-70

### RANCHO CORRAL DE TIERRA GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT ACT OF 2001

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OCTOBER 1, 2001.—Ordered to be printed

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Mr. BINGAMAN, from the Committee on Energy and Natural  
Resources, submitted the following

### REPORT

[To accompany S. 941]

The Committee on Energy and Natural Resources, to which was referred the bill (S. 941) to revise the boundaries of the Golden Gate National Recreation Area in the State of California, to extend the term of the advisory commission for the recreation area, and for other purposes, having considered the same, reports favorably thereon with amendments and recommends that the bill, as amended, do pass.

The amendment are as follows:

1. On page 2, line 10, strike “period at the end” and insert “period at the end of the paragraph”.
2. On page 3, strike line 14 in its entirety and insert “numbered NPS-80,079A and dated July 2001.”.
3. On page 3, line 16, strike “paragraph (1) or (2)” and insert “paragraph 2(E)”.
4. On page 3, line 22, strike “2022” and insert “2012”.

### PURPOSE

As ordered reported, the purposes of S. 941 are to expand the boundaries of the Golden Gate National Recreation Area in California to include several new parcels, comprising approximately 5,000 acres, and to extend the term of the park’s advisory commission for an additional ten years.

### BACKGROUND AND NEED

Golden Gate National Recreation Area (GGNRA) encompasses approximately 74,000 acres in several units in Marin, San Fran-

cisco, and San Mateo counties in northern California. The park's boundaries have been expanded several times since its establishment in 1972 to provide for the inclusion of additional lands. The most recent addition occurred in 2000, when 1,500 acres were added to the park.

S. 941 would expand the GGNRA boundaries to include approximately 5,000 acres in San Mateo County, known generally as the "Rancho Corral de Tierra" and "Devil's Slide" properties. Although negotiations to acquire these properties were occurring at the time of the 2000 additions, they were not completed in time for inclusion in that legislation.

The lands to be added to the GGNRA by S. 941 include Montara Mountain and other coastal ridges. Rising 2,000 feet from the nearby coast, the mountain ridges contain the headwaters and most of the watershed for four coastal stream systems, and provide important riparian habitat for threatened species such as the California red-legged frog and San Francisco garter snake. Montara Mountain is home to two plant species that are found nowhere else in the world: the Montara manzanita and blue lupine. The area also provides important open space and scenic values, with views over the entire San Francisco Bay area.

#### LEGISLATIVE HISTORY

S. 941 was introduced by Senators Feinstein and Boxer on May 23, 2001. The Subcommittee on National Parks held a hearing on the bill on July 27, 2001. At its business meeting on August 2, 2001, the Committee on energy and Natural Resources ordered S. 941 favorably reported with amendment.

#### COMMITTEE RECOMMENDATION

The Senate Committee on Energy and natural Resources, in open business session on August 2, 2001, by a voice vote of a quorum present recommends that the Senate pass S. 941, if amended as described herein.

#### COMMITTEE AMENDMENTS

During its consideration of S. 941, the Committee on Energy and Natural Resources adopted technical and clarifying amendments, including an amendment correcting the map reference. In addition, the Committee amendments extend the term of the GGNRA Advisory Commission for ten years. As introduced S. 941 would have extended the Commission for an additional 20 years.

#### SECTION-BY-SECTION ANALYSIS

Section 1 contains the short title, the "Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act of 2001."

Section 2(a) amends the enabling Act for the Golden Gate National Recreation Area (Public Law 92-589; 16 U.S.C. 460bb et seq.) to include several parcels comprising approximately 5,000 acres of land, including properties known as "Rancho Corral de Tierra" and "Devil's Slide" within the boundaries of the park.

Subsection (b) amends section 5(g) of the enabling Act to extend the termination date for the GGNRA Advisory Commission by ten years, through October, 2012.

#### COST AND BUDGETARY CONSIDERATIONS

The following estimate of the costs of this measure has been provided by the Congressional Budget Office:

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE  
*Washington, DC, August 21, 2001.*

Hon. JEFF BINGAMAN,  
*Chairman, Committee on Energy and Natural Resources,*  
*U.S. Senate, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for S. 941, the Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act of 2001.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

DAN L. CRIPPEN, *Director.*

Enclosure.

#### CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

##### *S. 941—Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act of 2001*

S. 941 would modify the boundary of the Golden Gate National Recreation Area (GGNRA). Assuming appropriation of the necessary amounts, CBO estimates that implementing the legislation would cost the federal government about \$15.5 million over the next two years and about \$0.2 million annually thereafter. S. 941 would not affect receipts or direct spending; therefore, pay-as-you-go procedures would not apply.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

S. 941 would expand the boundary of the GGNRA in California to include the 4,262-acre Rancho Corral de Tierra and the 500-acre Devil's Slide area. The bill also would extend the term of the advisory commission for the GGNRA (which expires on December 31, 2002) for an additional 10 years.

Based on information provided by the National Park Service (NPS) and assuming appropriation of the necessary amounts, CBO estimates that the federal government would spend \$15 million to purchase the Rancho Corral de Tierra from a local nonprofit organization, which acquired the property this year for \$29.7 million. (We expect that the organization will recover the balance of the land's purchase price from private or state sources.) CBO estimates that acquisition of the Devil's Slide area would not have any impact on federal spending because this acreage is or will be owned by California and would be donated to the NPS, which is prohibited under existing law from purchasing state-owned land.

Assuming appropriation of the necessary amounts, we estimate that additional costs to develop the property acquired under S. 941 would be about \$0.5 million, and that annual costs to administer the new lands would be between \$0.1 million and \$0.2 million. Extending the life of the recreation area's advisory commission would have no significant effect on the federal budget.

The CBO staff contact for this estimate is Deborah Reis. The estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

#### REGULATORY IMPACT EVALUATION

In compliance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee makes the following evaluation of the regulatory impact which would be incurred in carrying out S. 941. The bill is not a regulatory measure in the sense of imposing government-established standards or significant responsibilities on private individuals and businesses.

No personal information would be collected in administering the program. Therefore, there would be no impact on personal privacy.

Little, if any, additional paperwork would result from the enactment of S. 941.

#### EXECUTIVE COMMUNICATIONS

On July 27, 2001, the Committee on Energy and Natural Resources requested legislative reports from the Department of the Interior and the Office of Management and Budget setting forth Executive agency recommendations on S. 941. These reports had not been received at the time this report was filed. The testimony provided by the National Park Service at the Subcommittee hearing follows:

STATEMENT OF JOHN J. REYNOLDS, REGIONAL DIRECTOR,  
PACIFIC WEST REGION, NATIONAL PARK SERVICE, DE-  
PARTMENT OF THE INTERIOR

Mr. Chairman, thank you for the opportunity to present the Department of the Interior's views on S. 941, a bill to revise the boundaries of the Golden Gate National Recreation Area and to extend the term of the advisory commission for the recreation area.

The Department of the Interior supports S. 941. The addition of these lands will preserve exceptional natural, scenic and recreational resources displaying values commensurate with or exceeding those of the lands currently within the boundary of Golden Gate National Recreation Area. In addition, these properties, if added to the park, will provide it with a logical and understandable southern boundary, which is currently lacking.

Golden Gate National Recreation Area was established in 1972 by Public Law 92-589 “\* \* \* to preserve for public use and enjoyment certain areas of Marin and San Francisco Counties \* \* \*” and has since been expanded to include lands within San Mateo County. Located at the center of a major metropolitan area of more than 5 million people, a major factor in Golden Gate's significance is its

ability to provide national park experiences to unprecedented numbers of local, regional, national, and international visitors.

In 1980, Congress passed legislation that expanded the boundaries of Golden Gate National Recreation Area to include substantial areas of San Mateo County. The legislation was engendered by a proposal to develop the 1,100-acre property known as Sweeney Ridge, which included the presumed location of the first European sitting of San Francisco Bay in 1769. In order to minimize the cost of the project and to keep the focus on the development threat, the legislation limited the inclusion of private land strictly to the Sweeney Ridge property. The outcome was somewhat of a patchwork, leaving out significant privately owned open space and natural resources and creating a boundary that is difficult to recognize and manage in the field.

S. 941 would add lands to the recreation area known as the Rancho Corral de Tierra and the Devil's Slide area. The Corral de Tierra property includes approximately 4,262 acres and contains the headwaters and most of the watershed of the four major coastal stream systems, providing riparian habitat for a number of threatened and endangered animal species, and a scenic backdrop that visually distinguishes the San Mateo mid-coastal region. The peaks of Montara Mountain rise to more than 1,800 feet just two miles from the water's edge, providing some of the most spectacular panoramic views to be found in northern California. The property has recently been acquired by the Peninsula Open Space Trust (POST), and is being held in anticipation of being included within the boundaries of the recreation area.

In addition to the Corral de Tierra property, S. 941 would also include within the boundaries of the recreation area lands in the area known as the Devil's Slide. These lands, comprising approximately 500 acres, are associated with plans by the California Department of Transportation (Caltrans) to reroute Highway 1 through a new tunnel that is to be constructed in the area. When the tunnel project is complete, the existing surface road will be abandoned, thereby severing access to several properties in the Devil's Slide area. In the way of mitigation, it is expected that Caltrans will purchase the properties from the current owners to be dedicated as permanent open space. The existing roadbed will be donated by Caltrans for use as a trail. Inclusion of these lands within the boundaries of the recreation area will allow for their conveyance to the National Park Service. Also included in this addition is a Caltrans right-of-way which was purchased for the construction of a highway over Montara Mountain. Since Caltrans will be constructing a tunnel instead, the right-of-way is surplus to Caltrans' needs. This property divides the larger Corral de Tierra parcel included in this legislation, and thus is important for connecting these two parcels and ensuring contiguous open space.

These proposed additions to the recreation area are in accordance with a recent boundary study conducted by POST in consultation with National Park Service staff. The study found that these properties meet the criteria established by the National Park Service for addition of land to units of the National Park System. In this case, these lands represent an unparalleled opportunity to include within the recreation area lands of exceptional natural, scenic, and recreational value. The properties include many old trails and farm roads that could be easily adapted to recreational use, which may become the principal visitor activity within the area. In addition, these lands will be of great value through their role in protecting important wildlife habitat and maintaining the integrity of scenic views. There are several options under consideration for the long-term stewardship of these lands, including partnership arrangements involving the National Park Service, California State Parks, and POST.

As you know, the Department is committed to the President's priority of eliminating the National Park Service's deferred maintenance backlog. We are also concerned about the development and life cycle operational costs associated with expansion of parks already included in the National Park System. With that in mind, we expect that the costs of acquiring the Corral de Tierra property would be shared between the federal government, the State of California, and private donations raised by POST, who acquired these lands in the Spring of 2001 for \$29.7 million. It is anticipated that the Federal portion of the acquisition cost will be \$15 million with the remaining costs contributed locally by California State Parks and POST. Funds to purchase this property would be subject to NPS service-wide priorities and the availability of appropriations.

The Devil's Slide parcels, associated with the Caltrans project, would be acquired only through donation.

Since protection of these lands will be through a partnership with California State Parks and POST, it is anticipated that the National Park Service will only be responsible for a portion of the operating costs. The life cycle costs of maintaining these additions will be moderate, as these lands contain few buildings or structures and we do not anticipate major development of facilities. These lands will be used for low impact recreation, such as hiking and biking. Therefore, we anticipate most of the future upkeep of these lands will include trail and fire road maintenance, minimal new trail construction, trail signage and resource protection. These costs will be leveraged with funding from the private sector.

Although GGNRA's general management plan does not address these areas, it is anticipated that these lands will be less heavily impacted than other areas of the park, such as Marin Headlands and Muir Woods. Adding to that the steepness of the terrain, recreation will be confined to the lower portions of the land.

S. 941 also extends the term of the advisory commission for the recreation area until December 31, 2002. The advisory commission was established by the same law that created the recreation area and serves to provide for the free exchange of ideas between the National Park Service and the public. The law provided a 30-year term for the commission, which expires on December 31, 2002. S. 941 extends the term for another 20 years.

That concludes my testimony. I would be glad to answer any questions that you or the members of the subcommittee may have.

#### CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill S. 941, as ordered reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

#### Public Law 92-589

AN ACT To establish the Golden Gate National Recreation Area in the State of California, and for other purposes

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### ESTABLISHMENT

##### SECTION 1. \* \* \*

\* \* \* \* \*

#### COMPOSITION AND BOUNDARIES

SEC. 2. **【The recreation area shall comprise】** (a) *(1) IN GENERAL.—The recreation area shall comprise* the lands, waters, and submerged lands generally depicted on the map entitled: “Revised Boundary Map, Golden Gate National Recreation Area”, numbered NRA-GG-80,003-K and dated October 1978, plus those areas depicted on the map entitled “Point Reyes and GGNRA Amendments and dated October 25, 1979”. The authority of the Secretary to acquire lands in the tract known as San Francisco Assessor’s Block number 1592 shall be limited to an area of not more than one and nine-tenths acres. Notwithstanding any other provision of this subchapter, the Secretary shall not acquire the Marin County Assessor’s parcels numbered 199-181-01, 199-181-06, 199-181-08, 199-181-13, and 199-181-14, located in the Muir Beach portion of the recreation area. For the purpose of this subchapter, the southern end of the town of Marshall shall be considered to be the Marshall Boat Works. **【The following additional lands are also hereby included within the boundaries of the recreation area: Marin County Assessor’s parcel numbered 119-040-04, 119-040-05, 119-040-18, 166-202-03, 166-010-06, 166-010-07, 166-010-24, 166-010-25, 119-240-19, 166-010-10, 166-010-22, 119-240-03, 119-240-51, 119-240-52, 119-240-54, 166-010-12, 166-010-13, and 119-235-10. The recreation area shall also include the lands and waters in**

San Mateo County generally depicted on the map entitled “Seweney Ridge Addition, Golden Gate National Recreation Area”, numbered NRA GG–80,000–A, and dated May 1980. The recreation area shall also include those lands acquired pursuant to the Golden Gate National Recreation Area Addition Act of 1992. The recreation area shall also include the lands generally depicted on the map entitled “Additions to Golden Gate National Recreation Area”, numbered NPS–80,076, and dated July 2000/PWR–PLRPC.】

“(2) *ADDITIONAL LAND.*—*In addition to the land described in paragraph (1), the recreation area shall include—*

(A) *the parcels numbered by the Assessor of Marin County, California, 119–040–04, 119–040–05, 119–040–18, 166–202–03, 166–010–06, 166–010–07, 166–010–24, 166–010–25, 119–240–19, 166–010–10, 166–010–22, 119–240–03, 119–240–51, 119–240–52, 119–240–54, 166–010–12, 166–010–13, and –119–235–10;*

(B) *land and water in San Mateo County generally depicted on the map entitled “Sweeney Ridge Addition, Golden Gate National Recreation Area”; numbered NRA GG–80,000–A, and dated May 1980;*

(C) *land acquired under the Golden Gate National Recreation Area Addition Act of 1992 (16 U.S.C. 460bb–1 note; Public Law 102–299);*

(D) *land generally depicted on the map entitled “Additions to Golden Gate National Recreation Area”, number NPS–80–076, and dated July 2000/PWR–PLRPC; and*

(E) *land generally depicted on the map entitled “Rancho Corral de Tierra Additions to the Golden Gate National Recreation Area”, numbered NPS–80,079A and dated July 2001.*

(3) *ACQUISITION AUTHORITY.*—*The Secretary may acquire land described in paragraph 2(E) only from a willing seller.*

\* \* \* \* \*

#### ADVISORY COMMISSION

SEC. 5. (a) There is hereby established the Golden Gate National Recreation Area Advisory Commission (hereinafter referred to as the “Commission”).

\* \* \* \* \*

(g) The Commission shall cease to exist 【thirty years after the enactment of this Act】 *on December 31, 2012.*

\* \* \* \* \*